

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FREDERICK ELDRED RENNEKE,

Plaintiff,

V.

SOCIAL SECURITY
ADMINISTRATION, Jo Anne B.
Barnhart, Commissioner,

Defendant.

8:07CV62

MEMORANDUM AND ORDER

This matter is before the court on plaintiff's motions, Filing Nos. 3, motion to restore benefits; 4, motion to expedite appeal process; 5, motion for hearing; and 13, motion to stop the clerk from censoring and tampering and destroying evidence. Plaintiff filed this case alleging he is entitled to social security benefits. Filing No. 1. However, upon reviewing the file, it appears this case is still in the appeals process at the Social Security Administration. See Filing No. 4. Accordingly, the court will dismiss this case without prejudice. Plaintiff may re-file his case, if he so desires, but not until after all administrative avenues have been exhausted as required by the Social Security Administration.

THEREFORE, IT IS ORDERED this case is dismissed without prejudice as it is premature and this court lacks jurisdiction over the subject matter. A separate order of dismissal shall be entered in conjunction with this order.

DATED this 19th day of April, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge